

Bedford Hills, New York  
October 1, 2013

A public hearing was held by the Town Board of the Town of Bedford on October 1, 2013 at the Town House, 321 Bedford Road, Bedford Hills, New York to consider an extension to the Bedford Consolidated Water District No. 1. The meeting was called to order at 7:30 P.M. by Supervisor Roberts.

<b>Present:</b>	Lee V. A. Roberts	: Supervisor
	Peter Chryssos	: Councilman
	Francis T. Corcoran	: Councilman
	David Gabrielson	: Councilman
	Chris Burdick	: Councilman
	Lisbeth Fumagalli	: Town Clerk
	Joel Sachs	: Town Attorney
	Kevin Winn	: Commissioner of Public Works
	Jeff Osterman	: Director of Planning
	Joan Gallagher	: Director of Personnel
	Ed Ritter	: Comptroller
	Amy Pectol	: Receiver of Taxes
	Harry Girdlestone	: Sole Assessor
	William Hayes	: Police Chief
	Steve Fraietta	: Building Inspector

And twenty (20 residents/observers).

Mrs. Roberts called the hearing to order. Proof of Publication was presented and ordered filed. The public notice was published in the Bedford Pound Ridge Record Review on September 30, 2013.

Mrs. Roberts asked Mr. Winn to give an overview of the proposal to extend the Bedford Consolidated Water District No. 1 (the “Water District”) to all parcels of privately-owned real property located on Roosevelt Drive, Franklin Drive and Delano Drive in the Town of Bedford (the “Roosevelt Drive Neighborhood”) as shown on the map prepared by James J. Hahn Engineering, P.C. (“JJHE”) and filed with the Town on September 13, 2013.

Supervisor Roberts opened the floor for questions and or comments and there was none.

Town Attorney Joel Sachs then explained what the process moving forward would be if the Board approves the proposal.

On a motion by Mrs. Roberts, seconded by Mr. Chryssos the following resolution was ADOPTED

Ayes:	Roberts, Chryssos, Corcoran, Gabrielson, Burdick
Nays:	None
Absent:	None

RESOLVED that the public hearing to consider an extension to the Bedford Consolidated Water District No. 1 (the “Water District”) to all parcels of privately-owned real property located on Roosevelt Drive, Franklin Drive and Delano Drive in the Town of Bedford (the “Roosevelt Drive Neighborhood”) as shown on the map prepared by James J. Hahn Engineering, P.C. (“JJHE”) and filed with the Town on September 13, 2013 is hereby closed.

On a motion by Mrs. Roberts, seconded by Mr. Burdick the following resolution was ADOPTED

Ayes:	Roberts, Chryssos, Corcoran, Gabrielson, Burdick
Nays:	None
Absent:	None

RESOLVED that the Town Board does hereby adopt a type II Exempt Environmental Impact Statement.

On a motion by Mr. Burdick, seconded by Mr. Chryssos the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None  
Absent: None

**WHEREAS**, a proposal was made in the Town Board of the Town of Bedford, New York (the “Town”), to extend the Bedford Consolidated Water District No. 1 (the “Water District”) to all parcels of privately-owned real property located on Roosevelt Drive, Franklin Drive and Delano Drive in the Town of Bedford (the “Roosevelt Drive Neighborhood”) as shown on the map prepared by James J. Hahn Engineering, P.C. (“JJHE”) and filed with the Town on September 13, 2013, and

**WHEREAS**, on June 4 2013, the Town Board adopted a resolution directing JJHE to supervise the preparation of a plan, map and report for the extension of the Water District to the Roosevelt Drive Neighborhood, and

**WHEREAS**, JJHE prepared said plan, map and report and duly filed same in the office of the Town Clerk on September 13, 2013, and

**WHEREAS**, after JJHE duly filed said plan, map and report in the office of the Town Clerk, the Town Board did, issue public notice reciting the proposed Water District extension, a description of the boundaries of the proposed benefitted area, the maximum amount proposed to be expended for the extension, the proposed method of financing to be employed, and a plan, map and report describing the same were on file in the office of the Town Clerk for public inspection and that the Town Board would meet and hold a public hearing on same on October 1, 2013 at the Town House, 321 Bedford Road, Bedford Hills, NY 10507, and

**WHEREAS**, copies of said public notice were duly published according to law by publication in the Bedford Record Review on September 20, 2013 and posting of same on September 18, 2013 on the Town Clerk’s Board, located at 321 Bedford Road, Bedford Hills, New York 10507, and on the board located at 425 Cherry Street, Bedford Hills, New York 10507, and

**WHEREAS**, the Town Board has met at the time and place specified on said notice to consider the proposed extension of the Water District, and

**WHEREAS**, a public hearing on the proposed extension of the Water District has been held to consider such proposal and hear all persons interested in the subject thereof, who appeared at such time and place concerning same, and

**WHEREAS**, the Town Board did further consider the potential environmental impacts of the proposed extension of the Water District, and

**WHEREAS**, the public hearing on the proposed extension of the Water District is now closed, and

**WHEREAS**, the evidence offered at said public hearing compels that the Town Board make the determinations hereinafter made;

**NOW THEREFORE BE IT RESOLVED**, by the Town Board that it be and is hereby determined that:

- (1) The notice of hearing was published and posted as required by law and is sufficient;
- (2) All of the properties within the Roosevelt Drive Neighborhood shall be benefitted by the proposed extension of the Water District;
- (3) All property so benefitted is included within the proposed benefitted area.
- (4) The proposed method of apportioning the costs of the improvements associated with the extension shall be by taxation on the properties in the Roosevelt Drive Neighborhood that shall receive water service from the Water District; and
- (5) It is in the public interest to provide the Water District extension as herein described; and be it

**FURTHER RESOLVED**, that the Town Board hereby finds that the proposed extension of the Water District to the Roosevelt Drive Neighborhood shall not have a significant impact on the environment, and that the Town Board hereby adopts a Negative Declaration to that effect, and be it

**FURTHER RESOLVED**, that the Town Board does hereby approve and authorize the extension of the Water District to all parcels of privately-owned real property in the Roosevelt Drive Neighborhood, and be it

**FURTHER RESOLVED**, that the costs of said improvements associated with the extension shall be by assessment against the benefitted parcels within the Roosevelt Drive Neighborhood, and be it

**FURTHER RESOLVED**, that the proposed improvements, including costs of rights of way, construction costs, legal fees, and other expenses shall be financed by bonding over a 30 year period, and be it

**FURTHER RESOLVED**, that the Town Clerk be and is hereby authorized and directed to file, within 10 days of the adoption of this resolution, a certified copy of this resolution, in duplicate, in the office of the State Department of Audit and Control in Albany, New York, together with an application, in duplicate, for permission of the State Comptroller to undertake the proposed Water District extension in the manner and form prescribed by Town Law § 209-f, and be it

**FURTHER RESOLVED**, that the Town Supervisor be and hereby is authorized and directed to execute said application on behalf of the Town and Town Board, and be it

**FURTHER RESOLVED**, that this resolution is subject to a permissive referendum in the manner provided in the Town Law Article 7 and Town Law § 209-e(3).

There being no further discussion the hearing was adjourned at 7:53pm.

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Lisbeth Fumagalli, Town Clerk